




RAVALLI COUNTY ATTORNEY

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Memorandum

RECEIVED

TO: COUNTY COMMISSIONERS

FROM: George H. Corn 

DATE: August 7, 2007

RE: McIntyre Road/Sunset Road Issue (2007)

AUG 07 2007

Ravalli County Commissioners

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Commissioners:

I was contacted by Jay Bugli in the above matter. As you know this issue has been bubbling since last July. Jay believes the documents he has supplied to you previously show this is a county road. He states he provided those to Glenda last summer. Jay also states that Gary Evans' research backs him up on his assertion that it is a county road.

Recently Jay said he discussed the matter with Jim Shockley who suggested the county file a suit for declaratory judgment in the matter. I suggested a better approach, assuming you wish to take any action, would be to gather the documentation establishing it a county road, and provide it to DNRC. We would send a cover letter asking them to review the documents and asking them to agree with us it is a county road. I explained to Jay that you have jurisdiction over the roads and any decision regarding this matter is your call. This includes whether you wish to take any action at all.

I have not been involved in this matter since last year. As I recall, DNRC was quite aggressive in their assertion this was not a county road. However, I understand that they have backed off in some meetings with Jay and I have not received any letters from them. Perhaps this does indicate that they are close to agreement that it is a county road.

I am sending this to you because Jay had contacted me and again, I informed him it is totally up to you as to whether you wish to take any action in this matter or not. If you do please let Alex or myself know.

GHC:hs